

REMARKS

Claims 1-35 are pending in this application. Claims 1, 7, 15, 17, 25-29, 34, and 35 are independent claims. Claims 2-6, 8-14, 16, 18-24, and 30-33 are dependent claims.

Claims 1-35 have been rejected. Amendments to claims 1, 7, 15, 17, 25-29, 34, and 35 are presented herein. No new matter is being presented, and approval and entry are respectfully requested.

Rejections Under 35 U.S.C. § 112, First Paragraph

In items 1 and 2 on pages 2 and 3 of the Office Action, the Examiner rejected claims 1-35 under 35 U.S.C. § 112, first paragraph, as containing new matter. The Examiner asserted that sending seller records periodically from the seller over a specified period of time is new matter. It is respectfully submitted that claims 1-35 do not contain new matter. However, the language asserted by the Examiner as containing new matter has been removed from the claims to further prosecution. Accordingly, Applicants request withdrawal of the rejection to the claims under § 112, first paragraph.

Rejections Under 35 U.S.C. § 102

In items 1-3 on pages 3-5 of the Office Action, the Examiner rejected claims 1-35 under 35 U.S.C. §102(e) as being anticipated by Walker et al. (U.S. Patent No. 5,794,207). Applicants respectfully traverse these rejections for the reasons presented below.

Claim 1 of the present invention recites, as amended, "confirmation document making means for making a confirmation document by a buyer for each one of a plurality of seller records sent from a seller to the buyer, each seller record comprising sales data about one or more items sold by the seller to the buyer, the buyer making each confirmation document upon receipt of each seller record, and each confirmation document comprising the sales data from a corresponding seller record . . ."

Independent claims 7, 17, 25-29, 34, and 35 recite similar language. Independent claim 15 also recites similar language, except that claim 15 relates to set-off accounting when the

buyer and seller conduct mutual trading (i.e., company A buys from company B and company B buys from company A).

The Walker reference is directed to a method that allows **prospective buyers** of goods and services to communicate a binding purchase offer globally to **potential sellers**, and for sellers to bind a buyer to a contract based on the buyer's purchase offer (Walker at abstract). In Walker, the seller may revise the terms of an offer and present a counteroffer to the buyer.

Walker relates to the future sale of goods and services (i.e., Walker relates to the events preceding the making of a binding contract), whereas the present invention relates to the past sale of goods and services. In the present invention, a seller sells items to a buyer and sends a seller record or voucher to the buyer with each sales transaction. Thus, a plurality of vouchers, each representing a separate sales transaction, are sent from the seller to the buyer as shown, for example, by confirmation documents X1 and X2 in Figure 9 of the present application. The buyer creates a confirmation document for each of the vouchers that summarizes the contents of each voucher received.

In contrast to Walker, neither the buyer nor the seller in the present invention changes the contents of a seller record. Each seller record and confirmation document reflect a record of a sales transaction that has already occurred. If the seller sold 10 cases of tuna to the buyer on a certain date, then this transaction is a fact. While a seller may revise an offer and send a counteroffer to the buyer in Walker, counteroffers are not applicable to the present invention. In the present invention, there are no counteroffers or negotiations for events that have already transpired.

Thus, Walker does not teach or suggest "making a confirmation document by a buyer for each one of a **plurality of seller records**..., each seller record comprising sales data about one or more items **sold by the seller** to the buyer, ... and each confirmation document comprising the sales data from a corresponding seller record" (emphasis added).

Therefore, it is submitted that independent claims 1, 7, 15, 17, 25-29, 34, and 35 patentably distinguish over the prior art.

As for the dependent claims, the dependent claims depend from the above-discussed independent claims and are patentable over the prior art for the reasons discussed above.

Therefore, Applicants submit that claims 1-35 patentably distinguish over the prior art. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejections under §102.

CONCLUSION

In accordance with the foregoing, it is respectfully submitted that all outstanding rejections have been overcome and/or rendered moot, and further, that all pending claims patentably distinguish over the prior art. Thus, there being no further outstanding rejections, the application is submitted to be in condition for allowance, which action is earnestly solicited.

If there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

Finally, if there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: Apr. 11, 2003

By: C. Joan Gilsdorf
Christine Joan Gilsdorf
Registration No. 43,635

700 Eleventh Street, NW, Suite 500
Washington, D.C. 20001
(202) 434-1500

VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS

Please **AMEND** the following claims:

1. (FOUR TIMES AMENDED) A witness system, comprising:

confirmation document making means for making a confirmation document by a buyer for each one of a plurality of seller records sent [periodically] from a seller to the buyer [over a specified period of time], each seller record comprising sales data about one or more items sold by the seller to the buyer, the buyer making each confirmation document upon receipt of each seller record, and each confirmation document comprising the sales data from a corresponding seller record;

a witness receiving each confirmation document from the buyer after the buyer makes each confirmation document;

confirmation means for confirming by the seller that the content of each of the seller records is in agreement with the content of a corresponding one of the confirmation documents sent to the seller from the witness, wherein said witness certifies and registers each confirmation document as being accurate once said confirmation means confirms each confirmation document; and

memory means for storing in memory the confirmation documents registered by said witness.

7. (FOUR TIMES AMENDED) An account settlement system, comprising:

notarization document making means for making a notarization document by a buyer for each one of a plurality of seller records sent [periodically] from a seller to the buyer [over a specified period of time], each seller record comprising sales data about one or more items sold by the seller to the buyer, the buyer making each notarization document upon receipt of each seller record, and each notarization document comprising the sales data from a corresponding seller record;

sending means for sending to a notarization authority each notarization from the buyer after the buyer makes each notarization document, and for sending each notarization document from the notarization authority to the seller;

confirmation means for confirming by the seller whether the contents of each seller record is in agreement with the contents of a corresponding one of the notification documents;

a witness having the notarization authority and certifying that each notification document is accurate after the seller confirms that each seller record agrees with the corresponding notarization document;

memory means for storing in a memory the notarization documents certified by said witness;

detailed payment statement making means for making, with reference to the notarization documents stored in the memory, a detailed payment statement, upon which payment to the seller by the buyer is to be based;

funds transfer request means for requesting a transfer of funds, based on the detailed payment statement; and

notification means for notifying said witness of a transfer of funds, when funds are transferred to the seller based on the funds transfer request.

15. (FOUR TIMES AMENDED) An account settlement system utilizing a witness system, comprising:

notarization document making means for making a notarization document by a seller for each one of a plurality of buyer records sent [periodically] from a buyer to the seller [over a specified period of time], each buyer record comprising sales data about one or more items sold by the buyer to the seller, the seller making each notarization document upon receipt of each buyer record, and each notarization document comprising the sales data from a corresponding buyer record;

sending means for sending to a notarization authority each notarization from the seller after the seller makes each notarization document, and for sending each notarization document from the notarization authority to the buyer;

confirmation means for confirming by the buyer whether the contents of each buyer record is in agreement with the contents of a corresponding one of the notification documents;

a witness having the notarization authority and certifying that each notification document is accurate after the buyer confirms that each buyer record agrees with the corresponding notarization document;

memory means for storing in a memory the notarization documents certified by said witness;

detailed payment statement making means for making, by said buyer, with reference to the notarization documents stored in the memory, a detailed payment statement upon which a set-off payment by the seller to the buyer is based; and

request means for requesting a financial institution to issue a check to the buyer, based on the detailed payment statement.

17. (FOUR TIMES AMENDED) An account settlement system utilizing a witness system, comprising:

notarization document making means for making a notarization document by a buyer for each one of a plurality of seller records sent [periodically] from a seller to the buyer [over a specified period of time], each seller record comprising sales data about one or more items sold by the seller to the buyer, the buyer making each notarization document upon receipt of each seller record, and each notarization document comprising the sales data from a corresponding seller record;

sending means for sending to a notarization authority each notarization from the buyer after the buyer makes each notarization document, and for sending each notarization document from the notarization authority to the seller;

confirmation means for confirming by the seller whether the contents of each seller record is in agreement with the contents of a corresponding one of the notification documents;

a witness having the notarization authority and certifying that each notification document is accurate after the seller confirms that each seller record agrees with the corresponding notarization document;

memory means for storing in a memory the notarization documents certified by said witness;

detailed payment statement making means for making, with reference to the notarization documents stored in the memory, a detailed payment statement, upon which payment to the seller by the buyer is to be based; and

request means for requesting a financial institution to issue a note to the buyer.

25. (FOUR TIMES AMENDED) A method for document confirmation by a witness system, comprising:

making a confirmatory document by a buyer for each one of a plurality of seller records sent [periodically] from a seller to the buyer [over a specified period of time], each seller record comprising sales data about one or more items sold by the seller to the buyer, the buyer making each confirmatory document upon receipt of each seller record, and each confirmatory document comprising the sales data from a corresponding seller record;

sending to a witness each confirmatory document from the buyer after the buyer makes each confirmatory document, and sending each confirmatory document from the witness to the seller;

confirming by the seller whether the contents of each seller record are in agreement with the contents of a corresponding one of the confirmatory documents;

certifying, by the witness, that each confirmatory document is accurate, and notifying the buyer and the seller of each certification; and

storing the certified documents in a memory.

26. (FOUR TIMES AMENDED) An account settlement method utilizing a witness system, comprising:

making a notarization document by a buyer for each one of a plurality of seller records sent periodically from a seller to the buyer, each seller record comprising sales data about one or more items sold by the seller to the buyer, the buyer making each notarization document upon receipt of each seller record, and each notarization document comprising the sales data from a corresponding seller record;

sending to a notarization authority each notarization document from the buyer after the buyer makes each notarization document, and sending each notarization document from the notarization authority to the seller;

confirming by the seller whether the contents of each seller record are in agreement with the contents of a corresponding one of the notarization documents;

notarizing, by a witness having the notarization authority, that each document is accurate and notifying the buyer and the seller of each notarization, after the seller confirms that each seller record agrees with the corresponding notarization document;

storing in a memory the notarized documents;

making, with reference to the stored notarization documents, a detailed payment statement upon which is based payment by the buyer to the seller; and

requesting the transfer of funds to the seller, based on the detailed payment statement.

27. (FOUR TIMES AMENDED) A computer-readable memory medium containing a program causing a computer to execute document confirmation processes performed by a witness system, and comprising a process of:

making a confirmatory document by a buyer for each one of a plurality of seller records sent [periodically] from a seller to the buyer [over a specified period of time], each seller record comprising sales data about one or more items sold by the seller to the buyer, the buyer making each confirmatory document upon receipt of each seller record, and each confirmatory document comprising the sales data from a corresponding seller record;

sending, to a witness, each confirmatory document from the buyer after the buyer makes each confirmatory document, and sending each confirmatory document from the witness to the seller;

confirming by the seller whether the contents of each seller record are in agreement with the contents of a corresponding one of the confirmatory documents;

certifying by the witness that each confirmatory document is accurate, and notifying the buyer and the seller of each certification, after the seller confirms that each seller record agrees with the corresponding confirmatory document; and

storing in a memory each certified document.

28. (FOUR TIMES AMENDED) A computer-readable memory medium containing a program causing a computer to execute an account settlement process using a witness system, and comprising a process of:

making a notarization document by a buyer for each one of a plurality of seller records sent [periodically] from a seller to the buyer [over a specified period of time], each seller record comprising sales data about one or more items sold by the seller to the buyer, the buyer making

each notarization document upon receipt of each seller record, and each notarization document comprising the sales data from a corresponding seller record;

sending, to a notarization authority, each notarization document from the buyer after the buyer makes each notarization document, and sending each notarization document from the notarization authority to the seller;

confirming, by the seller, whether the contents of each seller record and the contents of a corresponding one of the notarization documents are in agreement;

notarizing, by a witness having the notarization authority, that each notarization document is accurate, and notifying the buyer and the seller of each notarization, after the seller confirms that each seller record agrees with the corresponding notarization document;

storing, in a memory, the notarized documents;

making, with reference to the notarized documents, a detailed payment statement upon which is based payment by the buyer to the seller; and

requesting that funds be transferred to the seller, based on the detailed payment statement.

29. (FOUR TIMES AMENDED) A witness system, comprising:

first computing means for making a document upon receipt of each one of a plurality of records [periodically received over a specified period of time], each record comprising sales data about one or more items sold by a seller to a buyer, each document being made upon receipt of each record, and each document comprising the sales data from a corresponding record;

second computing means for confirming the contents of each document; and

third computing means for performing notarization of each confirmed document and storing in a memory each notarized document data.

34. (FOUR TIMES AMENDED) An account settlement system, comprising:

payment request means for making a detailed payment statement that aggregates a plurality of payment objects and sending a payment request based on the detailed payment statement, each payment object being created upon receipt of a corresponding one of a plurality of seller sales records [periodically received over a specified period of time], each seller sales

record comprising sales data about one or more items sold by a seller to a buyer, and each payment object comprising the sales data from a corresponding seller sales record; and
comparison means for comparing the detailed payment statement with the seller sales record.

35. (TWICE AMENDED) A method of confirming document data, comprising:
creating a confirmation document by a buyer for each one of a plurality of vouchers sent [periodically] to the buyer by a seller [over a specified period of time], each voucher comprising sales data about one or more items sold by the seller to the buyer, the buyer making each confirmation document upon receipt of each [seller record] voucher, and each confirmation document comprising the sales data from a corresponding voucher;
sending each confirmation document from the buyer after the buyer makes each confirmation document to a witness;
sending each confirmation document from the witness to the seller;
confirming contents of each confirmation document by the seller by comparing the contents of each confirmation document with the contents of a corresponding one of the vouchers;
certifying and registering each confirmation document by the witness when the witness receives confirmation of the contents of each confirmation document from the seller; and
storing each payment document.